

Section 1

PATENT APPLICATION  
GSC 14,409-1

IN THE U.S. PATENT AND TRADEMARK OFFICE

APPLICANTS: SEMANCIK et al.

SERIAL NO.: 09/965,248

ART GROUP UNIT: 2184

FILED: 9/28/01

FOR: **FAIL-OVER FILE TRANSFER PROCESS**

**DECLARATION SUBMITTED AFTER INITIAL FILING**

December 11, 2001

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION of October 24, 2001, a properly  
executed Declaration containing signatures of all inventors is  
submitted in compliance with 37 CFR 1.63.

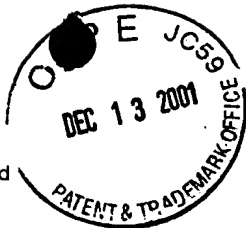
Any fees for filing the Declaration are to be charged to  
Deposit Account No. 14-0116.

Respectfully submitted,

Chan K. Park  
Agent, Reg. No. 48,175



National  
Aeronautics and  
Space  
Administration



Patent Application

GSC 14,409-1  
(NASA Case No.)

## Declaration, Power of Attorney and Petition by the Administrator or Designee and Statement of Inventor(s) - Original Application

I, Daniel R. Mulville, declare that I am ☐ the Administrator, or ☒ officially acting on behalf of the Administrator, of the National Aeronautics and Space Administration, whose Headquarters is resident in Washington, DC; that I am a citizen of the United States of America; that I declare the information given herein is true; that I believe the below-named inventor is the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

### Fail-Over File Transfer Process

the specification of which ☐ is attached hereto, ☐ and was amended on (Date) \_\_\_\_\_  
as Application Serial No. 09/965,248 and was filed on (Date) 9/28/01

I, as ☐ the Administrator, or ☒ officially acting on behalf of the Administrator, have determined pursuant to the provisions of §305(a) of the National Aeronautics and Space Act of 1958, and 42 U.S.C. §2457(a), that the invention set forth in the foregoing specification and claims was made by a person described in paragraphs (1) or (2) of this subsection of the Act and under the conditions therein set forth, and has therefore become the exclusive property of the United States.

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information which is known to me to be material to patentability as defined in 37 CFR §1.56.

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

\_\_\_\_\_, \_\_\_\_\_, the status of which is ☐ patented, ☐ pending, ☐ abandoned.  
(Serial No.) (Filing Date)

I hereby claim priority benefits under Title 35, United States Code §119(e) of any United States Provisional Applications listed below:

60/235,912, 9/28/00, the status of which is pending.  
(Provisional Serial No.) (Filing Date)

POWER OF ATTORNEY: I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

<input type="checkbox"/> Registered practitioner(s) at Customer Number _____, OR			
<input checked="" type="checkbox"/> Registered practitioner(s) listed below:			
<u>Chan K. Park</u>	<u>48,175</u>	<u>Guy Miller</u>	<u>32,333</u>
(Name)	(Reg. No.)	(Name)	(Reg. No.)
<u>Keith L. Dixon</u>	<u>37,983</u>	<u>Gary Borda</u>	<u>35,455</u>
(Name)	(Reg. No.)	(Name)	(Reg. No.)
<u>Diana M. Cox</u>	<u>35,779</u>	<u>Sue H. Palk</u>	<u>36,422</u>
(Name)	(Reg. No.)	(Name)	(Reg. No.)

ADDRESS ALL CORRESPONDENCE TO:

☐ Customer Number \_\_\_\_\_, OR  
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DIRECT TELEPHONE CALLS TO:

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301-286-7351

Name: Chan K. Park  
Address: NASA Goddard Space Flight Center  
Office of Patent Counsel, Code 710.1  
Greenbelt, MD 20771

STATEMENT OF INVENTOR(S): As a named inventor, I declare that the information given herein is true; that I verily believe I am the original, first and sole inventor, if only one name is listed below, or a joint inventor, if plural inventors are named below, of the invention or discovery described and claimed in the foregoing specification; that I acknowledge the duty to disclose to the Patent and Trademark Office all information which is known to me to be material to patentability as defined in 37 CFR §1.56; that I have read this instrument; I have reviewed and understand the contents of the specification and claims; and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001; and such willful false statements may jeopardize the validity of the application or any patent issuing hereon.

FULL NAME OF INVENTOR	LAST Semancik	FIRST Susan	MIDDLE OR INITIAL K.
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SIGNATURE <i>Susan K. Semancik</i>			DATE 11/8/2001

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MAILING ADDRESS	STREET NO. AND NAME	CITY AND STATE (OR COUNTRY)	ZIP CODE
SIGNATURE			DATE

FULL NAME OF INVENTOR	LAST	FIRST	MIDDLE OR INITIAL
RESIDENCE AND CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP USA
MAILING ADDRESS	STREET NO. AND NAME	CITY AND STATE (OR COUNTRY)	ZIP CODE
SIGNATURE			DATE

I, as ☐ the Administrator, or ☒ officially acting on behalf of the Administrator, hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under 18 U.S.C. §1001; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon; and as an official of the National Aeronautics and Space Administration, and pursuant to the authority granted by said Act, I hereby make application for, and pray that, Letters Patent be issued to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration for said invention, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition, this 3rd day of December, 2001.

*for* Name: Daniel R. Mulville

Title: Associate Deputy Administrator

City of Washington  
District of Columbia

Signed: Michael D. Chilton

National Aeronautics and Space Administration  
Mailing Address:  
National Aeronautics and Space Administration  
Washington, DC 20546